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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,948	03/19/2004	Gerald R. Morrow	2101	8074
39597	7590	06/23/2006	EXAMINER	
OLSON AND OLSON 5412 SE FOSTER ROAD PORTLAND, OR 97206			ROWAN, KURT C	
			ART UNIT	PAPER NUMBER
			3643	

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 4-5, 7-9 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on May 5, 2005.
2. Applicant's election with traverse of the article claims as shown in Figs. 1-4 in the reply filed on May 5, 2005 is acknowledged. The traversal is on the ground(s) that that the method requires the structural features of the article. This is not found persuasive because the article could be used with a different method than recited in claims 7-8.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 3, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Crane (US 648,552).

The patent to Crane shows a fish hook in Figs. 1 and 3 having an elongate shank A at one end and a reversely bent portion C of the shank adjacent the opposite end of the hook member B forming an inner space and a flared open end portion C' for receiving a fishing line D transversely there through and into the inner space.

5. Claims 1, 2, 3, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fry (US 4,535,562).

The patent to Fry shows in Figs. 4-5 and 7, 9 a fish hook having a shank a hook member 27 at one end. Fry shows a reversely bent portion 9E,11E of the shank adjacent the opposite end of the hook member forming an inner space and having a flared open end portion 17E. Latch 49 substantially closes the space between the flared open end and the adjacent shank portion of the fishhook for retaining a fishing line with the space.


### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Hewffron, Marks, Bower, Osano, Gottman, Litsey, Halferty, and O'Brien show other fish hooks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kurt Rowan whose telephone number is (571) 272-6893. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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